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November 16, 2016

Admiral David G. Simpson, Chief  
Public Safety & Homeland Security Bureau  
Federal Communications Commission  
445 12th Street, SW  
Washington DC 20554

Dear Admiral Simpson:

Pursuant to a recent Order of the Federal Communications Commission (FCC) governing the requirement for text providers to begin routing text messaging for purposes of 911,<sup>1</sup> we are writing to request your assistance in resolving a conflict related to the implementation of text-to-911 via message session relay protocol (MSRP) service in the State of Maine.

As you may be aware, Maine was an early adopter of text-to-911 via teletypewriter (TTY). Although Maine had plans in place to migrate to a Next Generation 911 (NG911) platform, the State opted to take the interim step of providing text-to-TTY on its legacy Enhanced 911 (E911) platform to allow those who are hearing impaired or deaf the ability to communicate with 911. Maine deployed this lifesaving technology at two of its twenty-six Public Safety Answering Points (PSAPs). Those two PSAPs were then tasked with answering text requests for the entire state from all five wireless carriers that provide service in Maine.

In October of 2015, following the deployment of a state-wide, end-to-end NG911 system in 2014, Maine began working with wireless carriers and their respective Text Control Centers (TCCs) on migrating from 911 via TTY to 911 to text via MSRP to take advantage of the State's new state of the art National Emergency Number Association (NENA) i3 compliant system.

One of Maine's TCCs responded to the deployment request with pricing for Multiprotocol Label Switching (MPLS) connectivity that included a one-time project charge, monthly recurring charges for a three year contractual period, and recurring monthly costs for dedicated MPLS circuits (price to be determined), all to be paid for by the State of Maine. Maine considered the proposed pricing to be unreasonably high, and sent a subsequent request to this TCC for an alternate solution utilizing a Virtual Private Network (VPN). The TCC provided a price quote for monthly

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<sup>1</sup> *In the Matter of Facilitating the Deployment of Text-to-911 and Other Next Generation 911 Applications*, PS Docket No. 11-153, Second Report and Order and Third Further Notice of Proposed Rulemaking, FCC 14-118 (rel. Aug. 13, 2014).

recurring monitoring charges to help compensate for what the company views as a less than reliable service because it traverses the Internet.

Conversely, a different TCC, responding on the behalf of other wireless carriers, expressed a *preference* for connecting via VPN as opposed to MPLS circuits and thus far has not requested any compensation for the use of VPN. Clearly, there is disagreement among TCCs about both the preferred technology and the cost of providing text-to-911 via IP.

The root cause of this issue appears to be the point of demarcation between carriers and Maine's Emergency Services Internet Protocol Network (ESInet). Maine strongly believes that the point of demarcation should be at the ingress designated by the Session Border Controller (SBC) of the State of Maine ESInet. TCCs, acting on behalf of wireless carriers, argue that the point of demarcation should be the egress side of the SBC used by the TCCs.

The basis for Maine's argument is the FCC's "King County Letter."<sup>2</sup> In the King County Letter, Thomas Sugrue, Chief of the FCC's Wireless Communications Bureau, states the FCC's view that "the proper demarcation point for allocating costs between the wireless carriers and the PSAPs is the input to the 911 Selective Router maintained by the Incumbent Local Exchange Carrier (ILEC)."<sup>3</sup> Thus, the King County Letter established the demarcation for Wireless Phase I service as the E911 Selective Router. In the NG 911 environment, the equivalent to the E911 Selective Router would be the State ESInet SBC, not the TCCs' SBC. To be clear, it is not Maine's NG911 system that requires a TCC with interim text functionality; rather, the need arises from a limitation of the wireless carriers' native networks. If the wireless carriers were able to provide a Session Initiation Protocol (SIP) message complete with location directly to the State's network, the network would be capable of routing the SIP message to the appropriate PSAP via its own SBC.

It should be noted that not all associated costs are properly that of the wireless carriers. Maine, on behalf of all its PSAPs and its citizens in providing NG911 services, has made the investment in providing one of the country's most robust, feature rich systems to support text to 911 service. Maine fully accepts that any costs beyond the edge of the ESInet are the responsibility of the State (911 Authority). We strongly believe, however, that it should be the wireless carriers' responsibility to carry the cost of delivering text-to-911 for their customers to our network, just as the carriers are required to do for regular 911 service. A definitive answer to the question of where the point of demarcation lies is of critical importance; the answer may well set a precedent for legacy wireline providers migrating to IP delivery, as well as other applications or services that require connectivity with the State's ESInet.

We look forward to your assistance in resolving this conflict regarding the delivery of interim text-to-911 via MSRP by clarifying where the point of demarcation is between wireless providers and Maine's NG911 network in order to appropriately assess costs.

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<sup>2</sup> Letter from Thomas J. Sugrue, Chief, Wireless Telecommunications Bureau, Federal Communications Commission to Marlys R. Davis, E-911 Program Manager, King County (Washington) E-911 Program Office, regarding King County, Washington Request Concerning E911 Phase I Issues (May 7, 2001) (King County Letter).

<sup>3</sup> King County Letter at 1.

If you have any questions, please feel free to contact me at (207) 287-6083.

Sincerely,

A handwritten signature in blue ink that reads "Maria P. Jacques". The signature is written in a cursive style with a large, stylized "M" and "J".

Maria P. Jacques, ENP, Director  
Emergency Services Communication Bureau

Cc: David Furth, Deputy Chief, Public Safety & Homeland Security Bureau